

REMARKS

The Office Action premises the restriction requirement with the conclusory statement that the inventions (Groups) as claimed are unrelated since they are not disclosed as capable of use together. The Applicant strongly disagrees with the Office Actions conclusion.

Groups I-VII are clearly disclosed as being capable of use together.

Claims 1-35 of Group I are directed to a communication hub for providing informational communication between a plurality of locations.

Claims 36 and 37 of Group II are directed to a method for providing information communication between a plurality of locations. The apparatus of Group I clearly is operable with Group II. The communication hub of Group I can practice the method of Group II. Therefore, the inventions are related and the restriction is improper and must be withdrawn.

Claims 38-54 of Group III are directed to a point to multi-point adaptive time division duplex system which includes a communication hub. The communication hub of Group I can be used in the duplex system of Group III. In addition, the duplex system of Group III can also practice the method of Group II. Therefore, Groups I and III, and Groups II and III are disclosed as capable of use together and thus the restriction is improper.

Claims 55-72 and 82-90 of Group IV are similarly directed to a point to multi-point adaptive time division duplex communication system which also communication hub and can practice the method of Group II. Therefore, since Groups III and IV are both

adaptive point to multi-point adaptive time division duplex communication system, both operate with a communication hub of Group I, and can practice the method of Group II, Groups I-VI are capable of use together and thus the restriction is improper.

Claim 73-75 of Group V are also directed to an adaptive time division duplex point-to-multipoint communication system with a communication hub. Group V is thus related to Groups I, II, III, and VI for the same reasons as described previously with respect to Groups III and IV. Therefore the restriction is improper and should be withdrawn.

Claims 76-80 of Group IV are directed to a communication hub in an adaptive time division duplex communication system. Group IV can equally be capable of use in Groups III, VI and V, and can be used to practice the methods of Group II. Therefore, the Groups I-IV are capable of use together and thus the restriction requirement is improper and should be withdrawn.

Claim 81 of Group IIV is directed a modular, point-to-multipoint, millimeter wave, adaptive time division duplex communication system with a communication hub. Group IIV is thus related to Groups I-IV for the same reasons as described with respect to Group V. Therefore, Group IIV is capable of use with Groups I-IV and thus the restriction requirement is improper and should be withdrawn.

All of the Groups I-IIV are disclosed to be capable of use with each of the other Groups. The Applicant wonders how the Office Action can contend adaptive time duplex communications systems are not related to other adaptive time duplex communication system, and how directed to a communication system and how a communication hub for

use in adaptive time duplex communication systems is not related to adaptive time duplex communication systems. The Office Actions reasoning is without merit.

In addition, the Office Action is required to specifically spell out the reasons for restriction, rather than present merely conclusory statements as was presented in the present restriction requirement.

CONCLUSION

The Applicant asserts the restriction requirement based on Groups I –IIV being unrelated is baseless. The Applicant request withdrawal of the restriction requirement and examination of Claims 1-81.

Respectfully submitted,



Mark C. Comtois	Reg. No. 46,285
L. Lawton Rogers, III	Reg. No. 24,302
D. Joseph English	Reg. No. 42,514
Patrick D. McPherson	Reg. No. 46,255
Attorneys at Law	

DUANE MORRIS LLP
1667 K Street, N.W., Suite 700
Washington, D.C. 20006
Telephone: (202) 776-7800
Facsimile: (202) 776-7801

Dated: May 25, 2004